

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>ALFAMODESS LOGISTICS, LLC,</b>	:	<b>CIVIL ACTION</b>
<b>Plaintiff and Counter Defendant,</b>	:	
	:	
<b>v.</b>	:	
	:	
<b>CATALENT PHARMA SOLUTIONS, LLC,</b>	:	<b>NO. 09-3543</b>
<b>Defendant and Counter Claimant,</b>	:	
	:	
<b>v.</b>	:	
	:	
<b>MARK ODESSA, et al.,</b>	:	
<b>Third Party Defendants.</b>	:	

**ORDER**

AND NOW, this 26<sup>th</sup> day of April, 2013, it is hereby ORDERED that the Motion to Withdraw filed by Attorneys Albert Saltz and Matthew Matkov (Docket No. 119) is GRANTED.

It is further ORDERED that:

1. All pending motions for summary judgment (Docket Nos. 96, 97, 100) shall be held in abeyance pending the bench trial in this matter.
2. Defendant Catalent Pharma Solutions, LLC shall answer the second amended complaint of Plaintiff AlfaModess Logistics, LLC by May 31, 2013.
3. AlfaModess must retain counsel by September 2, 2013.
4. All parties are to prepare and file with the Clerk of Court their Pretrial Memoranda, in accordance with this Order and Local Rule of Civil Procedure 16.1(c) as follows:
  - a. Plaintiff(s): on or before Friday, September 27, 2013.<sup>1</sup>

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<sup>1</sup> The remaining deadlines pertaining to Plaintiff in this Order also shall apply to the Third-Party Defendants.

b. Defendant(s): on or before Tuesday, October 1, 2013.

One (1) copy of each Pretrial Memorandum shall be served on the Court (Chambers, Room 10613) when the original is filed.

5. All trial exhibits shall be marked and exchanged on or before Friday, October 4, 2013.
6. Any party having an objection to: (a) the admissibility of any exhibit based on authenticity; (b) the admissibility for any reason (except relevancy) of any evidence expected to be offered; or (c) the admissibility of any opinion testimony from lay witnesses pursuant to Federal Rule of Evidence 701, shall set forth separately each such objection in their Trial Memorandum. Each objection shall describe with particularity the ground and the authority for the objection.
7. A final pretrial conference will be held with the Honorable Gene E.K. Pratter on Friday, October 18, 2013 at 10:00 a.m. in Chambers, Room 10613, United States Courthouse. Lead trial counsel is required to appear at the conference. If trial counsel is on trial in another matter, an attorney in his or her office who is thoroughly familiar with this case is required to appear at the conference.
8. A date certain for trial is set for Monday, October 21, 2013 at 9:30 a.m. The case will be tried non-jury.
9. If any party desires an offer of proof as to any witness or exhibit, that party shall inquire of opposing counsel or unrepresented party prior to trial for such information. If the inquiring party is dissatisfied with any offer provided, such party shall file a motion seeking relief from the Court prior to trial.
10. Because a witness may be unavailable at the time of trial as defined in Federal

Rule of Civil Procedure 32(a)(3), the Court expects use of oral or videotape depositions at trial of any witness whose testimony a party believes essential to the presentation of that party's case, whether that witness is a party, a non-party or an expert. The unavailability of any such witness will not be a ground to delay the commencement or progress of an ongoing trial. In the event a deposition is to be offered, the offering party shall file with the Court, prior to the commencement of the trial, a copy of the deposition transcript, but only after all efforts have been made to resolve objections with other counsel. Unresolved objections shall be noted in the margin of the deposition page(s) where a Court ruling is necessary and a covering list of such objections is also required.

11. The parties shall meet to prepare a complete and comprehensive stipulation of uncontested facts pursuant to Local Rule of Civil Procedure 16.1(d)(2)(b)(2). Two (2) copies of such stipulation shall be submitted to the Court (Chambers, Room 10613) by Friday, October 11, 2013. The original shall be filed with the Clerk of the Court.
12. By no later than Friday, October 11, 2013, each party is to submit to the Court (Chambers, Room 10613) two (2) copies of (a) proposed findings of fact and conclusions of law, (b) motions in limine (excepting Daubert motions), and (c) a trial memorandum on the legal issues involved in the case. The originals are to be filed with the Clerk of the Court.
13. By no later than Friday, October 11, 2013 counsel are to supply the Court with two (2) copies of each exhibit, and three (3) copies of a schedule of exhibits which briefly describes each exhibit.

14. All counsel and unrepresented parties are expected to review the Court's General Policies and Procedures and Guidelines for Trial and Other Proceedings in the Courtroom available on the Court's website at [www.paed.uscourts.gov](http://www.paed.uscourts.gov) concerning the conduct of the litigation, including trial. Any party desiring a hard copy of this document may call the Court's Civil Deputy, Ms. Rose A. Barber, at 267-299-7350, to request a copy. These Policies and Procedures address many issues that frequently arise during the pendency of cases, and all counsel and unrepresented parties are expected to follow those procedures in spirit and in fact.
15. All counsel shall take such steps and undertake such procedures and processes so as to assure their use of the electronic docketing and document availability and retrieval systems operated by the Eastern District of Pennsylvania available from the Court.
16. **EXTENSIONS OF TIME:** Any necessary application for extension of any time deadlines, change in conference(s), or trial date(s) set forth in this Order shall be made in writing and submitted to the Court no later than three (3) days prior to the date sought to be changed or extended. Any such request shall include a factual verification of counsel or unrepresented party or witness showing good cause for the request, shall contain a statement of the position of all other parties as to the request, and, if the request relates to a discovery deadline, shall recount what discovery the parties have thus far accomplished.

BY THE COURT:

S/Gene E.K. Pratter  
GENE E.K. PRATTER  
United States District Judge